

**Notice of Allowability**

Application No.

09/522,319

Examiner

Chuck Kendall

Applicant(s)

BALLANTYNE ET AL.

Art Unit

2192

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/15/2004.
2. ☒ The allowed claim(s) is/are 1-10, 12-17, 19 and 28-32 (now renumbered 1 - 22).
3. ☒ The drawings filed on 03/09/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 04/26/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
TUAN DAM  
SUPERVISORY PATENT EXAMINER

**Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

**IN THE SPECIFICATIONS:**

On page 1, line 8 the blank space should be filled by 09/522277

On page 1, line 12 the blank space should be filled by 09/522056

### Reasons for Allowance

1. Examiner has reviewed and considered Applicants comments as indicated on page 9 of 10 of Applicant's response dated 04/15/04 and 4/26/05 and per Applicant's comments, regarding claims 1 – 10, 12 – 17, 19, and 28 – 32 claims are now in condition for allowance.

The following is an Examiner's statement of reasons for allowance. The prior art of record does not teach or fairly suggest alone or in combination at least:

A method for modeling a legacy computer system comprising:

“ wherein the incidents comprise report commands; and wherein control flow graph comprises plural nodes having associated arcs, at least some of the plural nodes associated with an output incident”, as best illustrated by Figure 1 and 3, and in such a manner as recited in independent claims 1, 5, 10.

“ identifying incidents of applications of the legacy computer system that output data; defining a control flow graph of the output incidents; associating the incidents with an Extensible Markup Language schema, and creating a specification to modify the legacy computer system application to provide output in extensible Markup Language format...” as best illustrated by Figure 1 and 3, and in such a manner as recited in independent claim 8.

“...the modeling engine operable to analyze an application loaded on the legacy computer system to identify incidents within the application that output data from the legacy computer system; a control flow graph of the output incidents with the

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application; wherein the incidents comprise report commands", as best illustrated by Figure 1 and 3, and in such a manner as recited in independent claims 13,14 and 17.

" wherein a complete control flow graph of the application (N,A) is used to compute a directed graph (NR,AR) wherein:

n comprises a node in NR if n, an element of N, starts an output process, stops an output process or outputs data; and

$\langle n_1, n_m \rangle$  comprises an arc in Ar if  $n_1$  and  $n_m$  are in NR and a sequence of arcs  $\langle n_1, n_2 \rangle, \langle n_2, n_3 \rangle, \dots, \langle n_{m-1}, n_m \rangle$  is in A such that for i from 2 to m-1,  $n_i$  is not in NR", as best illustrated in Figure 3, and in such a manner as recited in independent claims 12 and 16.

Therefore, claims 1 – 10 and 12 – 17,19, & 28 – 32 are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Correspondence Information**


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CK



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SUPERVISORY PATENT EXAMINER